

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION
No. 2:12-CV-74

TRAVIS TREVINO RUNNELS,)
Petitioner,)
v.)
LORIE DAVIS, Director,) DEATH PENALTY CASE
Texas Department of Criminal Justice,)
Correctional Institutions Division,)
Respondent.)

**OBJECTIONS TO THE
REPORT AND RECOMMENDATION**

Comes now the Petitioner, Travis Trevino Runnels, by and through counsel, and respectfully objects, pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, to the September 29, 2017 Report and Recommendation of Magistrate Judge Clinton E. Averitte (Doc. 73) that Petitioner's request for relief pursuant to Federal Rule of Civil Procedure 60(b) (Docs. 52, 53) be transferred to the United States Court of Appeals for the Fifth Circuit as a second-or-successive petition. Mr. Runnels' specific objections and supporting arguments are described in the supporting brief filed contemporaneously with this pleading.

Respectfully submitted this the 13th day of October 2017.

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CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the forgoing Objections to the Report and Recommendation with the Clerk of Court using the CM/ECF system, which will send notification of such filing to Respondent Lorie Davis, Director TDCJ-CID, by and through the attorney of record, Jefferson David Clendenin.

This the 13th day of October, 2017.

/s/Mark J. Pickett
Mark J. Pickett